



PUBLIC NOTICE

Federal Communications Commission
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DA 03-2979
September 26, 2003

WIRELINE COMPETITION BUREAU GRANTS REQUEST FOR EXTENSION OF TIME FOR FILING COMMENTS AND REPLY COMMENTS ON ITS RULES IMPLEMENTING SECTION 252(I) OF THE TELECOMMUNICATIONS ACT OF 1996 ("PICK-AND-CHOOSE RULES")

CC Docket No. 01-338

Revised Filing Dates:

Comments Due: **October 16, 2003**
Reply Comments Due : **November 10, 2003**

On August 21, 2003, the Commission released a Further Notice of Proposed Rulemaking (*FNPRM*) in CC Docket No. 01-338 inviting comment on the Commission's rules implementing Section 252(i) of the 1996 Act, which allows requesting carriers to opt into individual portions of interconnection agreements without accepting all the terms and conditions of such agreements (i.e., "pick-and-choose rules").¹ Based on publication of the *FNPRM* in the Federal Register, parties were required to file comments on October 2, 2003 and reply comments on November 3, 2003.² On September 23, 2003, the Competitive Telecommunications Association (CompTel) filed a motion to extend the dates for filing comments and reply comments.³ Specifically, CompTel requested a two-week extension of time for the comment and reply comment

¹ *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers* (CC Docket No. 01-338), *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996* (CC Docket No. 96-98), and *Deployment of Wireline Services Offering Advanced Telecommunications Capability* (CC Docket No. 98-147), Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, FCC 03-36 at paras. 713, 720-29 (rel. Aug. 21, 2003) (*Triennial Review Order*).

² 68 FR 53311 (Sept. 10, 2003); 68 FR 52307 (Sept. 2, 2003). See also *Effective Date for New Rules and Comment and Reply Comment Dates, Erratum*, CC Docket No. 01-338, Public Notice, DA-03-2778 (rel. Sept. 2, 2003).

³ *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers* (CC Docket No. 01-338), *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996* (CC Docket No. 96-98), and *Deployment of Wireline Services Offering Advanced Telecommunications Capability* (CC Docket No. 98-147) Request for Extension of Comment Period (filed Sept. 23, 2003).

deadlines.⁴ CompTel states that an extension is necessary because the proceeding requires an analysis of carriers' experience regarding the negotiation and arbitration of interconnection agreements under the existing pick-and-choose rules.⁵

It is the policy of the Commission that extensions of time are not routinely granted.⁶ In this instance, however, the Bureau finds that CompTel has shown good cause for a limited extension of the deadline for filing comments and reply comments in this proceeding. Because of the Commission's desire to obtain a complete evidentiary record, we grant a limited extension so that parties may file comments on October 16, 2003 and reply comments on November 10, 2003. This extension should allow parties time to gather evidence from interconnection agreement negotiations and arbitrations and should allow parties sufficient time to respond to the initial comments. This matter shall continue to be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁷ All other requirements detailed in the September 2, 2003 Public Notice remain in effect.

For further information, please contact Gina Spade, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580.

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⁴ *Id.* at 1.

⁵ *Id.* at 2.

⁶ 47 C.F.R. § 1.46(a).

⁷ 47 C.F.R. § 1.1206